

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Danville Division

For the reasons set forth in the accompanying Memorandum Opinion, I **DENY** Plaintiff's Motion for Summary Judgment, **GRANT** Defendant's Motion for Summary Judgment, and **DISMISS** Defendant's Motion to Exclude Plaintiff's Expert Witness as **MOOT**.

The clerk is directed to send a copy of this Order and the accompanying Opinion to all counsel of record, and is instructed to remove this case from the docket of this Court.

Entered this 18th day of January, 2012.

s/Jackson L. Kiser
SENIOR UNITED STATES DISTRICT JUDGE